



[4910-13-P]

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

**[Docket No. FAA-2012-0324; Directorate Identifier 2012-CE-008-AD; Amendment 39-17060; AD 2012-10-11]**

**RIN 2120-AA64**

**Airworthiness Directives; Burkhart GROB Luft- und Raumfahrt GmbH Powered Sailplanes**

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for all Burkhart GROB Luft- und Raumfahrt GmbH Models GROB G 109 and GROB G 109B powered sailplanes. This AD results from mandatory continuing airworthiness information (MCAI) issued by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as excessive corrosion on the nose plate in the vertical stabilizer, which could cause the vertical stabilizer nose plate to fail. We are issuing this AD to require actions to address the unsafe condition on these products.

**DATES:** This AD is effective [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at Document Management Facility, U.S.

Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

For service information identified in this AD, contact Grob Aircraft AG, Lettenbachstrasse 9, D-86874 Tussenhausen-Mattsies, Germany; telephone: +49 (0) 8268 998139; fax: +49 (0) 8268 998200; email: [productsupport@grob-aircraft.com](mailto:productsupport@grob-aircraft.com); Internet: <http://www.grob-aircraft.eu/>. You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

**FOR FURTHER INFORMATION CONTACT:** Jim Rutherford, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4165; fax: (816) 329-4090; email: [jim.rutherford@faa.gov](mailto:jim.rutherford@faa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Discussion**

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the *Federal Register* on March 23, 2012 (77 FR 16968). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

Occurrences have been reported of finding heavily corroded nose plates, part number (P/N) 109-2160.01, in the vertical stabiliser of some Grob G 109 powered sailplanes.

The investigation results concluded that the affected aeroplanes were based and operated near the seaside and therefore exposed to a salty environment, causing the excessive corrosion.

This condition, if not detected and corrected, could lead to failure of the vertical stabilizer nose plate, which functions as a horizontal stabiliser fitting, to support limit loads and consequent loss of control of the aeroplane.

For the reasons described above, this AD requires repetitive inspections and, depending on findings, replacement of the nose plate.

You may obtain further information by examining the MCAI in the AD docket.

### **Comments**

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (77 FR 16968, March 23, 2012) or on the determination of the cost to the public.

### **Conclusion**

We reviewed the relevant data and determined that air safety and the public interest require adopting the AD as proposed except for minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM (77 FR 16968, March 23, 2012) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (77 FR 16968, March 23, 2012).

### **Costs of Compliance**

We estimate that this AD will affect 59 products of U.S. registry. We also estimate that it will take about 6 work-hours per product to comply with the basic requirements of this AD. The average labor rate is \$85 per work-hour. Required parts will cost about \$424 per product.

Based on these figures, we estimate the cost of the AD on U.S. operators to be \$55,106, or \$934 per product.

In addition, we estimate that any necessary follow-on actions will take about 12 work-hours and require parts costing \$243, for a cost of \$1,263 per product. We have no way of determining the number of products that may need these actions.

### **Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

### **Regulatory Findings**

We determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866,
- (2) Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),
- (3) Will not affect intrastate aviation in Alaska, and
- (4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### **Examining the AD Docket**

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday

through Friday, except Federal holidays. The AD docket contains the NPRM (77 FR 16968, March 23, 2012), the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647-5527) is in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.

#### **List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### **Adoption of the Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

#### **PART 39 - AIRWORTHINESS DIRECTIVES**

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

#### **§ 39.13 [Amended]**

2. The FAA amends § 39.13 by adding the following new AD:

2012-10-11 **Burkhart GROB Luft- und Raumfahrt GmbH**: Amendment 39-17060;  
Docket No. FAA-2012-0324; Directorate Identifier 2012-CE-008-AD.

#### **(a) Effective Date**

This airworthiness directive (AD) becomes effective [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

#### **(b) Affected ADs**

None.

#### **(c) Applicability**

This AD applies to Burkhart GROB Luft- und Raumfahrt GmbH Models GROB G 109 and GROB G 109B powered sailplanes, all serial numbers, certificated in any category.

**(d) Subject**

Air Transport Association of America (ATA) Code 55, Stabilizer.

**(e) Reason**

This AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as excessive corrosion on the nose plate in the vertical stabilizer. We are issuing this AD to detect and correct corrosion and flaking on the nose plate, which could cause the vertical stabilizer nose plate to fail and result in loss of control of the sailplane.

**(f) Actions and Compliance**

Unless already done, do the following actions:

(1) Within 3 months after [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER] (the effective date of this AD):

(i) Inspect, from the top, the front and rear side of the nose plate, part number (P/N) 109-2160.01, in the vertical stabilizer for corrosion and flaking following Part A of the Accomplishment Instructions in Grob Aircraft Service Bulletin No. MSB817-58, dated November 24, 2011. Repetitively thereafter inspect at intervals not to exceed 12 months.

(ii) Install an access panel on the left side of the vertical stabilizer following Grob Aircraft Repair Instruction Doc. No. RI 817-010/1, issue date December 20, 2011, as specified in Grob Aircraft Service Bulletin No. MSB 817-060, dated November 24, 2011.

(iii) Through the access panel installed as required in paragraph (f)(1)(ii) of this AD, inspect, from below, the nose plate, P/N 109-2160.01, for corrosion and flaking following Part B of the Accomplishment Instructions in Grob Aircraft Service Bulletin No. MSB817-58, dated November 24, 2011. Repetitively thereafter inspect at intervals not to exceed 12 months.

(2) If any corrosion or flaking is found on the nose plate, P/N 109-2160.01, during any inspection required in paragraphs (f)(1)(i) or (f)(1)(iii) of this AD, replace P/N 109-2160.01 with a serviceable part. Do the replacement following Grob Aircraft Repair Instruction Doc. No. RI 817-009, issue date November 17, 2011, as specified in Grob Aircraft Service Bulletin No. MSB817-58, dated November 24, 2011. After replacement, continue with the repetitive inspections required in paragraphs (f)(1)(i) and (f)(1)(iii) of this AD.

**(g) Other FAA AD Provisions**

The following provisions also apply to this AD:

(1) **Alternative Methods of Compliance (AMOCs):** The Manager, Standards Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Jim Rutherford, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4165; fax: (816) 329-4090; email: [jim.rutherford@faa.gov](mailto:jim.rutherford@faa.gov). Before using any approved AMOC on any sailplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) **Airworthy Product:** For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

**(3) Reporting Requirements:** For any reporting requirement in this AD, a federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2120-0056. Public reporting for this collection of information is estimated to be approximately 5 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave. SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, AES-200.

**(h) Related Information**

Refer to MCAI European Aviation Safety Agency (EASA) AD No. 2012-0027, dated February 14, 2012; Grob Aircraft Service Bulletin No. MSB817-58 and Grob Aircraft Service Bulletin No. MSB 817-060, both dated November 24, 2011; Grob Aircraft Repair Instruction Doc. No. RI 817-009, issue date November 17, 2011; and Grob Aircraft Repair Instruction Doc. No. RI 817-010/1, issue date December 20, 2011, for related information.

**(i) Material Incorporated by Reference**

(1) You must use the following service information to do the actions required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference (IBR) under 5 U.S.C. 552(a) and 1 CFR part 51 of the following service information on [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]:

(i) Grob Aircraft Service Bulletin No. MSB817-58, dated November 24, 2011;

(ii) Grob Aircraft Service Bulletin No. MSB 817-060, dated November 24, 2011;



(iii) Grob Aircraft Repair Instruction Doc. No. RI 817-009, issue date November 17, 2011; and

(iv) Grob Aircraft Repair Instruction Doc. No. RI 817-010/1, issue date December 20, 2011.

(2) For service information identified in this AD, contact Grob Aircraft AG, Lettenbachstrasse 9, D-86874 Tussenhausen-Mattsies, Germany; telephone: +49 (0) 8268 998139; fax: +49 (0) 8268 998200; email: [productsupport@grob-aircraft.com](mailto:productsupport@grob-aircraft.com); Internet <http://www.grob-aircraft.eu/>.

(3) You may review copies of the service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

(4) You may also review copies of the service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at an NARA facility, call 202-741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).  
Issued in Kansas City, Missouri, on May 16, 2012.

Earl Lawrence,  
Manager, Small Airplane Directorate,  
Aircraft Certification Service.

[FR Doc. 2012-12409 Filed 06/01/2012 at 8:45 am; Publication Date: 06/04/2012]